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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,507	10/02/2003	Michael T. Spoltore	H0005521 (16885)	8238

128 7590 04/04/2006

HONEYWELL INTERNATIONAL INC.
101 COLUMBIA ROAD
P O BOX 2245
MORRISTOWN, NJ 07962-2245

EXAMINER	
PREVIL, DANIEL	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	**Application No.** 10/677,507	**Applicant(s)** SPOLTORE ET AL.	
	Examiner Daniel Previil	**Art Unit** 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 January 2006*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17 and 19-26* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-17 and 19-26* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date *10/02/03*.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communication filed on January 17, 2006.

Claim Objections

1. Claims 1-9 are objected to because of the following informalities: claims 1, 3, recite the phrase "adapted to" in both occurrences is not a positive limitation but only require the ability to so perform. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-2, 5, 7-8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Stilp (US 7,019,639) in view of Peterson (US 5,594,428).

Regarding claim 1, Stilp discloses a security system with a safety light feature (fig. 25A) comprising: a control for controlling the security system (col. 10, lines 10-15); wherein the security system secures a building against burglaries col. 32, lines 20-23); at least one sensor adapted to provide a signal to the control indicating that an emergency condition has been detected (col. 34, lines 5-21); at least one safety light (fig. 25A) comprising: a housing (fig. 25A).

Stilp discloses all the limitations above but fails to explicitly disclose a receiver provided within the housing for receiving a wireless signal and a transmitter provided within the housing for transmitting a wireless signal to a receiver in the home security system to inform the home security system of a status of the safety light; a transmitter responsive to the control for transmitting a wireless signal to the at least one safety light to activate the at least one safety light when the control receives the signal indicating that the emergency has been detected.

However, Peterson discloses a receiver provided within the housing for receiving a wireless signal and a transmitter provided within the housing for transmitting a wireless signal to a receiver in the home security system (fig. 1-fig. 2; col. 3, lines 38-40) to inform the home security system of a status of the safety light (col. 4, lines 64-67; col. 5, lines 1-8); a transmitter responsive to the control for transmitting a wireless signal to the at least one safety light to activate the at least one safety light when the control receives the signal indicating that the emergency has been detected (col. 4, lines 64-67; col. 5, lines 1-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Peterson's status of the light in Stilp. Doing so would modify Stilp's system with Peterson's status of the light in order to determine accurately the status of light to detect the presence of an intruder or a burglar thereby increasing the level of security against malicious individuals for the safety purposes as taught Peterson (col. 4, lines 6-12).

Regarding claim 2, Stilp discloses the transmitter is adapted to transmit wireless signals to at least one security system component in the security system (col. 16, lines 37-47); wherein at least one security system component is used in the security system for securing the building against burglaries (col. 32, lines 20-23).

Regarding claim 5, Stilp discloses indicia for informing rescue personnel of the emergency condition (col. 14, lines 9-12).

Regarding claim 7, Stilp discloses the emergency condition comprises a fire (col. 8, line 50).

Regarding claim 8, the examiner takes the official notice that "the safety light comprises an ambient light" is well known in the art.

5. Claims 3- 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stilp in view of Peterson and further in view of Astell (US 6,114,948).

Regarding claim 3, Stilp and Peterson disclose all the limitation in claim 1 but fail to explicitly disclose a plurality sensors adapted to provide signals to the control indicating that the emergency condition has been detected; wherein the transmitter transmits a wireless signal to the at least one safety light to activate the at least one safety light when the control receives the signal from any one of the fire detection sensors indicating that the emergency condition has been detected.

However, Astell discloses a plurality sensors adapted to provide signals to the control indicating that the emergency condition has been detected (col. 5, lines 60-64); wherein the transmitter transmits a wireless signal to the at least one safety light to activate the at least one safety light when the control receives the signal from any one of the fire detection sensors indicating that the emergency condition has been detected (col. 5, lines 49-67; col. 6, lines 1-8).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Astell's plurality of sensors in Stilp and Peterson. Doing so would modify Stilp and Peterson's system with Astell's plurality of sensors in order to provide vital information to a rescuer thereby taking quick and immediate measure to save people life as taught by Astell (col. 1, lines 31-37).

Regarding claim 4, Stilp and Peterson disclose all the limitations in claim 1 but fail to explicitly disclose a plurality of safety lights comprising respective receivers for receiving wireless signals; wherein the transmitter transmits wireless signals to the plurality of safety lights to activate the plurality of safety lights when the control receives the signal indicating that an emergency condition has been detected.

However, Astell discloses a plurality of safety lights (strobe lights 116, 117, 118 in fig. 5) comprising respective receivers (receiver 26 and electronic receiving circuit) (fig. 2; col. 5, lines 23-28) for receiving wireless signals (fig. 2; col. 3, lines 58-61); wherein the transmitter transmits wireless signals to the plurality of safety lights to activate the plurality of safety lights when the control receives the signal indicating that an emergency condition has been detected (fig. 2; fig. 5; fig. 9; col. 5, lines 10-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Astell's plurality of lights in Stilp and Peterson. Doing so would modify Stilp and Peterson's system with Astell's plurality of lights in order to provide vital information to a rescuer thereby taking quick and immediate measure to save people life as taught by Astell (col. 1, lines 31-37).

6. Claims 9, 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stilp in view of Peterson as applied to claim 1 above, and further in view of Merendini et al. (US 5,825,280).

Regarding claims 9, 24, Stilp and Peterson disclose all the limitations in claim 1 but fail to explicitly disclose a directional light to indicate a direction of an exit from the building.

However, Merendini discloses a directional light to indicate a direction of an exit from the building (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Merendini's directional light in Stilp and Peterson. Doing so would modify Stilp and Peterson's safety light with Merendini's directional light to determine quickly and rapidly the building exit in case of a fire thereby preventing accidents from happening as taught by Merendini (abstract).

Regarding claim 25, Stilp and Peterson disclose all the limitations in claim 1 but fail to explicitly disclose the control provides a plurality of illuminated directional indicia on the face, one at a time, in a time sequence, to indicate a direction of an exit from the building.

However, Merendini discloses the control provides a plurality of illuminated directional indicia on the face, one at a time, in a time sequence, to indicate a direction of an exit from the building (col. 4, lines 9-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Merendini's directional light in Stilp and Peterson. Doing so would modify Stilp and Peterson's safety light with Merendini's directional light to determine quickly and rapidly the building exit in case of a fire thereby preventing accidents from happening as taught by Merendini (abstract).

7. Claims 10-11, 17, 19, are rejected under 35 U.S.C. 103(a) as being unpatentable over Stilp in view of Peterson (US 5,594,428).

Regarding claim 10, Stilp discloses a safety light (fig. 25A) comprising: a housing, including at least a first face (fig. 25A); the home security system secures a building against burglaries (col. 32, lines 20-23).

Stilp discloses all the limitations above but fails to explicitly disclose a receiver for receiving a wireless activation signal from a transmitter in a home security system when a sensor in the home security system has detected an emergency condition; a transmitter provided within the housing for transmitting a wireless signal to a receiver in the home security system to inform the home security system of a status of the safety light; and a control responsive to the receiver for providing an illuminated indicia on the first face for informing rescue personnel of the emergency condition when the wireless activation signal is received by the receiver.

However, Peterson discloses a receiver for receiving a wireless activation signal from a transmitter in a home security system when a sensor in the home security system has detected an emergency condition (col. 6, lines 45-59); a transmitter provided within the housing for transmitting a wireless signal to a receiver in the home security system to inform the home security system of a status of the safety light (col. 4, lines 64-67; col. 5, lines 1-13); and a control responsive to the receiver for providing an illuminated indicia on the first face for informing rescue personnel of the emergency condition when the wireless activation signal is received by the receiver (fig. 1, fig. 4; col. 4, lines 64-67; col. 5, lines 1-14).

> Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Peterson's status of the light in Stilp. Doing so would modify Stilp's system with Peterson's status of the light in order to determine accurately the status of light to detect the presence of an intruder or a burglar thereby increasing the level of security against malicious individuals for the safety purposes as taught Peterson (col. 2, lines 1 and lines 31-37; col. 4, lines 62-67).

Regarding claim 11, Stilp discloses the emergency condition comprises a fire (col. 8, line 50).

Regarding claim 17, Stilp and Peterson disclose all the limitations in claim 10 and Peterson further discloses the control (microprocessor 26) and the receiver (transceiver 28) are provided within the housing 20 (fig. 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Peterson in Stilp. Doing so would modify Stilp's system with Peterson's housing in order to arrange the control and the receiver within the same housing to save space thereby improving the efficiency of the system.

Regarding claim 19, Stilp discloses the status indicates at least one of a low battery status and loss of power status (power failure) (col. 10, line 41).

8. Claims 15-16, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stilp in view of Peterson and further in view of Oyagi et al. (US 6,956,478).

Regarding claims 15, 20, Stilp and Peterson disclose all the limitations in claim 10 but fail to explicitly disclose a switch for detecting tampering with the housing.

However, Oyagi discloses a switch for detecting tampering with the housing (fig. 3; col. 7, lines 49-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Oyagi's switch in Stilp and Peterson. Doing so would modify Stilp and Peterson's system with Oyagi's switch in order to detect the presence of an intruder in the house thereby notifying the management device of the occurrence of the unusual situation to take appropriate measure for the safety purposes as taught by Oyagi (col. 2, lines 63-65).

Regarding claims 16, 21, Stilp and Peterson disclose all the limitations set forth in claim 10 but fail to explicitly disclose a switch for detecting that an installation of the housing has been compromised.

However, Oyagi discloses a switch for detecting that an installation of the housing has been compromised (col. 7, lines 19-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Oyagi's switch in Stilp and Peterson. Doing so would modify Stilp and Peterson's system with Oyagi's switch in order to detect the presence of an intruder in the house thereby notifying the management device of the occurrence of the unusual situation to take appropriate measure for the safety purposes as taught by Oyagi (col. 2, lines 63-65).

9. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chong (US 6,529,230) in view of Peterson.

Regarding claim 22, Chong discloses an illuminating safety light (fig. 8, ref. 113) comprising: a housing (fig. 8); at least one light provided within the housing for providing ambient lighting (living room lighting in fig. 9; col. 8, line 36); a receiver for receiving a wireless activation signal from a transmitter in a home security system when a sensor in the home system detects an emergency condition (abstract; col. 7, lines 36-41) ; wherein the home security system secures a building against burglaries (col. 7, lines 36-49) and a control responsive to the receiver for activating the at least one light when the wireless activation signal is received by the receiver (col. 7, lines 36-58; col. 12, lines 51-67).

Chong discloses all the limitations above but fails to explicitly disclose a transmitter provided within the housing for transmitting a wireless signal to a receiver in the home security system to inform the home security system of a status of the safety light.

However, Peterson discloses a transmitter provided within the housing for

> transmitting a wireless signal to a receiver in the home security system to inform the home security system of a status of the safety light (col. 4, lines 64-67; col. 5, lines 1-13).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Peterson's status of the light in Chong. Doing so would modify Chong's system with Peterson's status of the light in order to determine accurately the status of light to detect the presence of an intruder or a burglar thereby increasing the level of security against malicious individuals for the safety purposes as taught Peterson (col. 2, lines 1 and lines 31-37; col. 4, lines 62-67).

10. Claim 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stilp in view of Peterson.

Regarding claim 23, Stilp discloses a safety light (fig. 25A) comprising: a housing, including at least a first face (fig. 25A); the home security system secures a building against burglaries (col. 32, lines 20-23).

Stilp discloses all the limitations above but fails to explicitly disclose a receiver for receiving a wireless activation signal from a transmitter in a home security system when a sensor in the home security system has detected an emergency condition; a transmitter provided within the housing for transmitting a wireless signal to a receiver in the home security system to inform the home security system of a status of the safety light; and a control responsive to the receiver for providing an illuminated directional indicia on the face when the wireless activation signal is received by the receiver.

However, Peterson discloses a receiver for receiving a wireless activation signal from a transmitter in a home security system when a sensor in the home security system has detected an emergency condition (col. 6, lines 45-59); a transmitter provided within the housing for transmitting a wireless signal to a receiver in the home security system to inform the home security system of a status of the safety light (col. 4, lines 64-67; col. 5, lines 1-13); and a control responsive to the receiver for providing an illuminated directional indicia on the face (transparent medium) when the wireless activation signal is received by the receiver (fig. 1, fig. 4; col. 4, lines 64-67; col. 5, lines 1-14 and lines 51-67).

> Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Peterson's status of the light in Stilp. Doing so would modify Stilp's system with Peterson's status of the light in order to determine accurately the status of light to detect the presence of an intruder or a burglar thereby increasing the level of security against malicious individuals for the safety purposes as taught Peterson (col. 2, lines 1 and lines 31-37; col. 4, lines 62-67).

11. Claims 6, 13, are rejected under 35 U.S.C. 103(a) as being unpatentable over Stilp in view of Peterson and further in view of NPL (TOT finder decals).

Regarding claim 6, Stilp and Peterson disclose all the limitations in claim 5 but fail to specify an image of a firefighter and a child.

However, NPL discloses an image of a firefighter and a child (fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate NPL TOT finder in Stilp and Peterson in order to clearly alert firemen about the locations of the children, so the firemen can rescue the children quick and safe as taught by NPL (abstract).

Regarding claim 13, Stilp and Peterson disclose all the limitations in claim 10 but fail to specify an image of a firefighter and a child.

However, NPL discloses an image of a firefighter and a child (fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate NPL TOT finder in Stilp and Peterson in order to clearly alert firemen about the locations of the children, so the firemen can rescue the children quick and safe as taught by NPL (abstract).

12. Claims 12, 14, 26, are rejected under 35 U.S.C. 103(a) as being unpatentable over Stilp in view of Peterson and further in view of Kaiser (US 6,222,455).

Regarding claim 12, Stilp and Peterson disclose all the limitations in claim 10 but fail to explicitly disclose at least one light provided within the housing and responsive to the control for backlighting the first face to provide the illuminated indicia.

However, Kaiser discloses at least one light provided within the housing and responsive to the control for backlighting the first face to provide the illuminated indicia (fig. 4-fig. 6, col. 3, lines 27-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Kaiser's backlighting in Stilp and Peterson in order to increase accurately the safety and utility by indicating accurately the presence of a building occupant to fire or rescue personnel on the outside as taught by Kaiser (col. 1, lines 38-42).

Regarding claim 14, Stilp and Peterson disclose the limitations in claim 10 but fail to explicitly disclose the housing includes a second face, opposite the first face; and the control is responsive to the receiver for providing an illuminated indicia on the second face for informing rescue personnel of the emergency condition when the wireless activation signal is received by the receiver.

However, Kaiser discloses the housing includes a second face, opposite the first face (fig. 4-fig. 9) and the control is responsive to the receiver for providing an illuminated indicia on the second face for informing rescue personnel of the emergency condition when the wireless activation signal is received by the receiver (col. 3, lines 27-55).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Kaiser's backlighting in Stilp and Peterson in order to increase accurately the safety and utility by indicating accurately the presence of a building occupant to fire or rescue personnel on the outside as taught by Kaiser (col. 1, lines 38-42).

Regarding claim 26, Stilp and Peterson disclose all the limitations in claim 23 but fail to explicitly disclose at least one light provided within the housing for backlighting the first face to provide the illuminated indicia.

However, Kaiser discloses at least one light provided within the housing for backlighting the first face to provide the illuminated indicia (fig. 4-fig. 6, col. 3, lines 27-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Kaiser's backlighting in Stilp and Peterson in order to increase accurately the safety and utility by indicating accurately the presence of a building occupant to fire or rescue personnel on the outside as taught by Kaiser (col. 1, lines 38-42).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allen (US 6,000,505) discloses a multiple level building with an elevator system operable as a means of emergency egress and evacuation during a fire incident.

Reed (US 6,249,221) discloses an emergency detector door illumination escape system.

Topol et al. (US 4,531,114) discloses an intelligent fire safety system.

Nakanishi et al. (US 4,796,018) discloses an exit guiding system.

Cota (US 4,763,115) discloses a fire or smoke detection and alarm system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is (571) 272-2971. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel WU can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Previl

Daniel Previl
Examiner
Art Unit 2636

DP
March 28, 2006.